

**JUDICIAL COUNCIL
OF THE NINTH CIRCUIT**

FILED

AUG 3 2016

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

<p>IN RE COMPLAINT OF JUDICIAL MISCONDUCT</p>

No. 16-90090

ORDER

THOMAS, Chief Judge:

Complainant, a pro se prisoner, alleges that a district judge improperly dismissed his case, violated his constitutional rights, and should have disqualified himself. These claims relate directly to the merits of the judge's rulings and must therefore be dismissed. See 28 U.S.C. § 352(b)(1)(A)(ii); In re Charge of Judicial Misconduct, 685 F.2d 1226, 1227 (9th Cir. Jud. Council 1982); In re Complaint of Judicial Misconduct, 623 F.3d 1101, 1102 (9th Cir. Jud. Council 2010) (holding that the decision not to recuse is merits-related); Judicial-Conduct Rule 11(c)(1)(B).

Complainant also alleges that the judge committed fraud, engaged in the practice of law, and committed a high misdemeanor. Complainant provided no evidence to support these allegations, and so they are dismissed as unfounded. See 28 U.S.C. § 352(b)(1)(A)(iii); Judicial-Conduct Rule 11(c)(1)(D).

DISMISSED.